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C O N F I D E N T I A L SECTION 01 OF 02 GUANGZHOU 000480

SIPDIS

STATE FOR EAP/CM AND OES

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SUBJECT: Environmental Law in Guangzhou's Universities

¶1. (U) Classified by Consul General Brian L. Goldbeck for reason 1.4 (d).

¶2. (SBU) Summary: Interest in the study of environmental law is on the rise in Guangzhou. Sun Yat-sen University Law School, South China Agricultural University and South China University of Technology are all expanding their environmental law programs, having reached unofficial consensus to focus on the use of legal means to solve south China's environmental problems. Nonetheless, challenges remain to the development of environmental law as a field of academic study, with limited employment opportunities for graduates a primary obstacle. End summary.

Academic Interest in Environmental Law

¶3. (C) Over the past few years, universities in Guangzhou have paid increased attention to the subject of international law. In 2006, Sun Yat-sen University Law School -- the only law school in Guangzhou to offer a Juris Master's degree in Environmental Law -- established a partnership with Vermont Law School in the United States. The same year, South China University of Technology developed its first environmental law course for undergraduate students with the help of Professor Liu Changxing (protect) who, as with our other contacts, spoke without formal permission from his institution. According to Liu, at that time the Guangzhou academic community reached unofficial consensus to focus on the use of legal means to solve south China's environmental problems, and this is what he believes sparked academic interest in the field of environmental law.

¶4. (C) Out of the three universities we met with in Guangzhou, South China University of Technology has the least developed environmental law program for undergraduates, but the faculty is looking to offer additional courses. Professor Liu indicated that the university hopes to get involved with the China Law Society to allow students an opportunity to represent clients in pollution cases. While he advocated practical experience for his students, he also stated that China does not need many lawyers specializing in environmental law because it is not an area with much judicial practice. This is just one of the challenges in developing environmental legal studies in Guangzhou's universities. Note: Information regarding government-university cooperation projects in environmental law is available at our South China SEZ blog: www.intelink.gov/communities/state/southchinasez .

¶5. (C) According to Professor Li Zhiping (protect), the establishment of a partnership between Sun Yat-sen University Law School and Vermont Law School caused a big change in students' perception of environmental law. Prior to 2006, students were attracted to business-related legal courses, such as tax law or corporations law. If faced with schedule conflicts, students would always sacrifice their environmental law course, said Li. Although Sun Yat-sen Law School has a history of partnerships with a number of U.S. law schools, those programs focused mainly on faculty exchanges. Because the Vermont Law School partnership actually engages students, their interest was piqued in the field, she said.

¶6. (C) Still, Li noted, students face enormous employment pressures because job prospects for environmental lawyers in south China are limited. While some students may find jobs in the EPB, Water Affairs Bureau, Agriculture Ministry or Forestry Bureau, the jobs are in short supply. Moreover, according to China's civil service law, those positions are open to all students, regardless of academic specialization, and their success in receiving an offer of employment depends solely on their entrance exam scores. Because environmental NGOs in the western model are not permitted by authorities in Guangdong and private companies want lawyers with a general understanding of the law, environmental law students face difficulties finding jobs related to their interests, Li said.

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¶7. (C) Professor Wang Quandian (protect) focused on challenges in the development of environmental law generally because environmental law teaching "should not be limited to universities," he said. Wang noted that as China's economy has taken off, enforcement of environmental law is still insufficient. "I worry that China will follow some developed countries -- pollution first and treatment later," he said. Wang asserted that developed countries have transferred polluting industries to China and that rapid industrialization in rural areas of south China had caused excessive pollution. Ecological protection is not a priority for the local governments and that must be changed, he said.

Several Solutions

¶8. (C) Wang emphasized the importance of learning from developed countries like the United States and Japan and imitating their environmental protection systems and regulations. He added that exchange programs for overseas study are valuable experiences and noted that South China Agricultural University is currently establishing one such program with an Australian university, but would also like to establish programs with other foreign universities and institutes.

¶9. (C) As Wang stressed the need for better enforcement of environmental law, Li also expressed the need to teach students about enforcement mechanisms. Right now, students learn mostly about legislation, she said, but with more financial support in the future Sun Yat-sen University Law School hopes to expand its curriculum to cover enforcement.

¶10. (C) As a final point, Li conveyed her hope that with increased awareness of the environmental situation in South China, companies would begin to hire students with environmental law specialties, thereby creating the necessary jobs for an extremely conscious and passionate group of students.